



STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	FINAL ORDER
	:	OF DISCIPLINE
ANNA RAYMUNDO, R.N.	:	
License # 26NO11572500	:	
	:	
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Anna Raymundo ("Respondent") is a Registered Professional in the State of New Jersey and has been a licensee at all relevant times.

2. The Board received information that Respondent was discharged from nursing employment at Saint Barnabas Medical Center on or about May 6, 2014 for incompetency which relates adversely to patient care, poor work performance, poor nursing practice, and falsification of documentation. An employer audit

of Respondent's Pyxis access and detailed review of her medication administration and documentation within the electronic medical record showed numerous violations of policy in reference to the administration and documentation of controlled dangerous substances (CDS), leading to a suspicion of diversion. Based upon this information, the board sent Respondent a letter of inquiry dated December 2, 2014 which included a question asking whether respondent would be willing to undergo a comprehensive mental health and substance abuse evaluation under the auspices of the Board's designated intervention program, the Recovery and Monitoring Program of New Jersey (RAMP).

3. Respondent refused the Board's request that she undergo a comprehensive mental health and substance abuse evaluation. She maintained that she did not divert drugs and that she used her own method of documenting administration of pain medications that did not comport with the hospital's policies.

#### CONCLUSIONS OF LAW

Diversion and issue with administration of VDS and documentation often occur concurrently. Documentation and administration of CDS policies are developed to ensure the safe administration of CDS, but also to enable employers to spot

diversion. The documentation and administration of CDS issues resulting in Respondent's termination raise the issue of whether Respondent is engaged in substance abuse and therefore unfit to practice. Respondent's self-serving statements that she did not divert drugs and had her own way of documenting the administration of CDS have not convinced the Board. The Board would be satisfied that Respondent is drug-free and safe to practice if she submitted to a comprehensive mental health and substance abuse evaluation under the auspices of the Board's designated intervention program and that evaluation substantiates her claim.

The Board finds that the circumstances leading to Respondent's termination from her place of nursing employment warrant testing, monitoring, and evaluation, as a condition for continued licensure, to evaluate whether Respondent's continued practice as a nurse may jeopardize the safety and welfare of the public pursuant to N.J.S.A. 45:1-22(f) and treatment may be necessary to properly discharge the functions of a licensee pursuant N.J.S.A. 45:1-22(e).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on September 8, 2015, provisionally ordering respondent to enroll in RAMP and undergo a comprehensive mental health and substance abuse

evaluation under the auspices of RAMP. A copy of the Order was served upon the respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order via her attorney. Respondent denies any diversion. Respondent asked for dismissal of the Provisional Order, objecting to the finding of fact in the Provisional Order stating that respondent "used her own method of documenting administration of pain medications that did not comport with the hospital's policies." Respondent objected to the lack of specificity as to the hospital's policies, and maintaining that respondent had stated that she was documenting in a manner that she believed she was supposed to document. In addition, respondent objected that she had been in effect wrongfully accused of substance abuse by her employer, and that this was an insufficient basis for the filing of the

Provisional Order. According to Respondent, the assertion in the Provisional Order that documentation irregularities with respect to CDS often indicate diversion is an unproven generality which cannot be used as a basis upon which to require evaluation and monitoring. Moreover, a later submission by Respondent's attorney indicates that she has since enrolled in RAMP.

The Board considered Respondent's submissions. The Board concluded that its own expertise, developed in the course of its review of hundreds of instances of suspected diversion, and the experience of the nurses making up part of the Board, has demonstrated that irregularities in documentation of administration of CDS often correlate to diversion and impairment on the part of the nurse involved. In fact it is common knowledge in the field that a major reason for the use of the Pyxis is to better detect irregularities in medication administration with regard to CDS. The Board is well aware that abuse of CDS is not only a problem for the nation in general, but particularly a problem for nurses, who are exposed to CDS on a daily basis in the course of their employment, and the temptations that ready access to CDS furnishes. The Board finds that the allegations of Saint Barnabas in Respondent's disciplinary notice, i.e., failure to document pain assessments prior to removal and administration of CDS, pulling medications

in advance of pain assessment or documented request/need, and a specific instance alleged where Dilaudid was documented as administered to a patient 45 minutes prior to its removal from the Pyxis, constitute a sufficient basis pursuant to N.J.S.A. 45:1-22(f) to order Respondent's participation in RAMP.

ACCORDINGLY, IT IS on this 10<sup>th</sup> day of December, 2015,

ORDERED that:

1. Respondent shall undergo a comprehensive mental health and substance abuse evaluation, including monitoring, under the auspices of the Board's designated intervention program, RAMP, and shall gain RAMP's support for continued active licensure. Respondent shall enroll in RAMP, for purposes of participating and obtaining a comprehensive mental health and substance abuse evaluation, within thirty days of the filing of this order. Respondent has indicated, via her attorney, that she has already enrolled in RAMP, and she is therefore to comply with the obligations of enrollment and participation in RAMP until she is released from the program.

2. By undergoing evaluation, Respondent shall expressly waive any claim of privilege or confidentiality that she may have concerning RAMP reports and disclosures to the Board, and use by the Board of that information in any proceedings.

3. All costs associated with the evaluation, monitoring and/or treatment outlined above shall be the responsibility of, and paid directly by, Respondent.

NEW JERSEY STATE BOARD OF NURSING

By: *Patricia Murphy PhD APN*  
Patricia Murphy, PhD, APN  
Board President